

**Nomination of Michael Chertoff
To be Secretary of Homeland Security
Senator Joe Lieberman
February 2, 2005
As Prepared For Delivery**

Thank you, Madame Chairman, and welcome, Judge Chertoff. We're honored to have you before us today as we consider your nomination to lead the Department of Homeland Security. If you are confirmed, yours will be one of the most difficult jobs Washington has to offer – not only for the awesome responsibility you will have safeguarding the American people from terrorist attack but also because of the Herculean effort that must be exerted to make the Department a real success.

Since it was created two years ago, the Department of Homeland Security has become a central player in improving the nation's security here, at home. Secretary Ridge deserves credit for beginning this transformation. Yet, as you know - and as we heard again last week from a panel of experts –significant challenges await the next Secretary, ranging from the development of a clear strategic vision to improving the Department's day-to-day operations. We knew the largest government reorganization in half a century would be a monumental task. Secretary Ridge has worked to pull together the many disparate pieces of 22 agencies and programs and 180,000 employees, often at times with what seemed like benign neglect from the Administration. Understandably, the Department is still struggling to find its footing, and we have a significant way to go before an array of security gaps are sewn up.

The lack of a focused, long-term strategy after two years is a serious disappointment. I don't see how any organization – much less one as large and unwieldy as the Department of Homeland Security – can succeed without one. Given the importance of the Department's mission, I would urge you to develop an updated strategy immediately that defines the Department's priorities and clarifies its roles and responsibilities, as well as those of other key partners in our shared security. In order to do this properly, you will have to consult with others in the Administration - at Defense, Health and Human Services, and Justice – to ensure that there is an integrated and overarching homeland security strategy. I know you have expressed sympathy with the call for an Under Secretary for Policy and Planning to perform the kind of long range thinking within DHS that has been in such short supply. I look forward to hearing more about your thoughts on that matter.

If confirmed, you and your key deputies will need certain basic tools to succeed. The Secretary and the Deputy Secretary of the Department, for example, must have adequate staff to manage 180,000 employees – and the testimony we heard from experts last week strongly suggests that is not now the case. DHS employees must also be adequately

trained to perform new and more complex tasks than they performed before the Department was created.

The Department must also step up its efforts to eliminate persistent vulnerabilities at our borders and ports, within our rail and transit systems, and at the nation's core energy, telecommunications, water, transportation, and financial networks. The Coast Guard is in dire need of a modern fleet. And the Administration absolutely must do more to prepare the nation for a possible bioterror attack which could put millions of citizens at risk. Somehow, we need to regain the sense of urgency that propelled us following the September 11 attacks. And we must do a better job of enlisting the private sector as a necessary partner in our shared security.

To return to a familiar refrain, we must also invest in the Department if it is to pay off in greater security. We know the funding realities and we know it is impossible to protect every potential terrorist target. But we should not deny our first responders - who risk their lives for the rest of us - the training and equipment they need, especially interoperable communications equipment, to protect our communities. Unfortunately, the Administration proposed significant cuts, government-wide, for first responders last year. I hope, if confirmed, you will reverse this trend.

There is much to be done, and it will be a daunting task to change a fraction of what needs to change. I believe focused leadership, skilled management, and sufficient resources, however, will help master these problems. And I appreciate your willingness to take on the challenge.

Judge Chertoff, you have an impressive record and have served your country with distinction. A number of questions have been raised, however, about your role in the administration's prosecution of the war on terror, most recently with regard to advice you provided regarding the laws prohibiting torture while you were head of the Justice Department's Criminal Division. You discussed that issue with committee staff extensively on Monday. Today, I'd like to have you discuss these issues under oath and publicly before the committee.

I look forward to working with you, and hope you agree that we must work together, with a renewed sense of urgency to keep the country safe.

Madam Chairman, thank you again for your bold leadership in the arena of homeland security.